



CUSTOMER NO. 000042131

Docket No. 170.002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Wei He and Wei Weng

SERIAL NO.: 10/768,350

Group Art Unit: 1632

FILED: January 30, 2004

Examiner: Joanne Hama

FOR: Genetic Modification of C57 Mice

DECLARATION OF Dr. Wei He PURSUANT TO 37 C.F.R. 1.132(a)

1. I am the co-inventor in the above referenced application. I am currently a Research Scientist at Ingenious Targeting Laboratory, Inc. located at 25 E. Loop Road in Stony Brook, New York.

2. The Office Action rejected claims 1 and 2 under 35 USC sec 112 first paragraph.

Response: We have described in detail the methodology on how to produce the cells lines listed in claims 1 and 2, so than one skilled in the art will be able to follow our disclosure and produce them. In addition, we have deposited the cell lines with the American Type Culture Collection, P.O.Box 1549, Manassas, VA 201108.

3. The Office Action rejected claims 1 and 2 under 35 U.S.C sec 102(b) as being anticipated by Tarrant et al.

Response:

We have narrowed our claims 1 and 2 to C57 mouse cell lines. We believe our method will work in other non-human vertebrate animal cell lines.